

1 GOODIN, MACBRIDE, SQUERI, RITCHIE & DAY, LLP
2 ROBERT A. GOODIN, State Bar No. 061302
3 FRANCINE T. RADFORD, State Bar No. 168269
4 505 Sansome Street, Suite 900
5 San Francisco, California 94111
6 Telephone: (415) 392-7900
7 Facsimile: (415) 398-4321

8 PILLSBURY WINTHROP SHAW PITTMAN LLP
9 THOMAS V. LORAN III, State Bar No. 95255
10 JOANNE H. KIM, State Bar No. 221525
11 50 Fremont Street
12 Post Office Box 7880
13 San Francisco, CA 94120-7880
14 Telephone: (415) 983-1000
15 Facsimile: (415) 983-1200

16 Attorneys for Amicus Curiae Common Sense Media

17 UNITED STATES DISTRICT COURT
18
19 NORTHERN DISTRICT OF CALIFORNIA
20
21 SAN JOSE DIVISION

22 VIDEO SOFTWARE DEALERS and
23 ENTERTAINMENT SOFTWARE
24 ASSOCIATION,

25 Plaintiffs,

26 v.

27 ARNOLD SCHWARZENEGGER, in his
28 official capacity as Governor of the State of
California; BILL LOCKYER, in his official
capacity as Attorney General of the State of
California; GEORGE KENNEDY, in his
official capacity as Santa Clara County
District Attorney; RICHARD DOYLE, in his
official capacity as City Attorney for the City
of San Jose, and ANN MILLER RAVEL, in
her official capacity as County Counsel for
the County of Santa Clara.

Defendants.

No. C 05 4188 RMW RS

DECLARATION OF JAY SENTER

Date: May 12, 2006

Time: 9:00 a.m.

Courtroom: 6

Before the Honorable Ronald M. Whyte

Case No. C 05 4188 RMW RS

DECLARATION OF JAY SENTER

1 1. I am currently employed as a communications associate for Common
2 Sense Media. I have held this position since October 2005. I have personal knowledge of the facts
3 stated in this declaration and could and would testify competently thereon if called to do so.

4 2. Common Sense Media is based out of San Francisco, California. The
5 organization reviews hundreds of media titles each year in an effort to provide parents and
6 children with additional information about the kind of content in the latest movies, video games,
7 and so forth.

8 3. A DVD containing a montage of footage from several current video games
9 is attached as Exhibit A to this declaration. The montage features footage from the following
10 games: *Postal 2: Share the Pain* being played on an Apple Macintosh G5 Computer; and *Grand*
11 *Theft Auto: San Andreas*, *25 to Life*, *NARC*, *Manhunt*, and *50 Cent: Bulletproof* all being played
12 on a PlayStation 2 console. Footage from the “Hot Coffee” scene in *Grand Theft Auto: San*
13 *Andreas* was downloaded off the Internet, and not recorded directly from game play.

14 4. These games were procured by the following means: *Grand Theft Auto:*
15 *San Andreas* was purchased by a Common Sense Media staff member in October 2004 at a
16 GameStop retail location in San Francisco; *Postal 2: Share the Pain* was purchased by a Common
17 Sense Media staff member in December 2005 via the Internet; *25 to Life*, *NARC* and *50 Cent:*
18 *Bulletproof* were rented from a Blockbuster Video retail location in San Francisco in March and
19 April 2006. *Manhunt* was rented using a Common Sense Media account with GameFly.

20 5. After reviewing each game, I selected excerpts that featured: violence
21 against women, violence against law enforcement officers, extreme violence and mass killings. I
22 also included the sexually explicit “Hot Coffee” scene from *Grand Theft Auto: San Andreas*.

23 6. To capture the footage from each game, I used video capturing hardware
24 and software on a Macintosh G5 computer. I then imported the video captured from the games
25 and used editing software to produce the attached exhibit.

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1 I certify that Exhibit A is a true and accurate copy of the excerpts described herein.

2 I declare under penalty of perjury under the laws of the State of California that the
3 foregoing is true and correct. Executed on April ____, 2006 at ____, California.

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6 Jay Senter

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